

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 575 - SB 858

April 13, 2021

SUMMARY OF ORIGINAL BILL: Nullifies each private act that establishes a county health department or county board of health and requires each to be governed by the State effective October 1, 2021.

Requires each local health authority to report to the Department of Health (DOH) any case or suspected case of a disease declared to be communicable, contagious, or that has been declared by the Commissioner of DOH to subject an individual to isolation or quarantine.

Requires the Commissioner of the DOH to report certain information regarding quarantine cases of individuals to the Joint Government Operations Committee and the Health and Welfare Committee of the Senate and the Health Committee of the House of Representatives within one business day of beginning notified, and monthly until the number of quarantined falls below 30 individuals.

Prohibits a county health officer from ordering a quarantine of a healthy individual or of a place that is reasonably unknown to have contributed to the spread of a disease, epidemic, or pandemic.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – Redelegating the local government authority to the state could result in local governments ceasing to fund their county health department, or county board of health. If any local government ceased to fund such health entities, there would be an increase in state expenditures and a correlating decrease in local expenditures for continued operation of each health entity. Due to multiple unknown factors a precise fiscal impact cannot be determined

SUMMARY OF AMENDMENTS (006710, 006942): Amendment 006710 deletes all language after the enacting clause. Removes county boards of health (Boards) authority to enforce and adopt rules and regulations essential to the control of preventable diseases and the promotion and maintenance of the general health of the county. Authorizes the Boards to be advisors to their respective county mayors on the enforcement and adoption of any rules and regulations, as established by the Commissioner of DOH. Grants a county health officer the authority to order rules and regulations as are necessary or appropriate to protect the general health and safety of the county.

Defines quarantine as the limitation of a person's freedom of movement, isolation of a person, or preventing or restricting access to premises upon which the person or the cause or source of a disease may be found, for a period of time as may be necessary to confirm or establish a diagnosis, to determine the cause or source of a disease, or to prevent the spread of a disease, in regards to the powers of the Commissioner of DOH.

Prohibits a state or local governmental official, entity, department, or agency from mandating a private business to require proof of vaccination against COVID-19 as a condition of entering upon the premises of the business or utilizing services provided by the business.

Amendment 006942 deletes and replaces language in the bill as amended by amendment 006710 to prohibit a state or local governmental official, entity, department, or agency from requiring proof of vaccination against COVID-19 as a condition of entering upon the premises of a property owned or controlled by a state or local government entity or utilizing services provided by a state or local governmental entity. Prohibits a private business from requiring an individual to provide information protected by HIPPA in relation to the COVID-19 virus or any variant of the virus, as a condition of entering upon the premises of, or utilizing services provided by the private business.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- The DOH and the Boards can update any policies or procedures to accommodate the proposed legislation utilizing existing resources; therefore, no significant fiscal impact to state government

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumption for the bill as amended:

- This legislation is estimated to have no significant impact on commerce or jobs in this state.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/lm